### **REMARKS**

This amendment is in response to the Non-Final Office Action dated September 28, 2010 (the "Office Action"). Claims 1-24 are pending in the application. Claim 25 has been canceled without prejudice or disclaimer. Claims 1-9 and 11-24 have been amended. Claims 26-33 have been added. No new matter has been added. Support for the claim amendments and for the new claims can be found in the specification, claims, and figures as originally filed.

Applicant thanks the Examiner for indicating that claims 1-25 are allowable and would be allowed if rewritten to overcome the rejections under 35 U.S.C. § 101. Applicant respectfully submits that claim 25 has been canceled without prejudice or disclaimer and that claims 1-24 as amended have addressed the objections to the claims and the rejections under 35 U.S.C. § 101. Hence, Applicant respectfully submits that claims 1-24 are in condition for allowance.

### **Objection to the Abstract**

The Office has objected to the Abstract, at paragraph 1 of the Office Action, under 37 C.F.R. § 1.491(b). Applicant respectfully submits that the Abstract as amended complies with 37 C.F.R. § 1.491(b). Accordingly, Applicant respectfully requests withdrawal of objection to the Abstract.

#### **Objections to the Claims**

The Office has objected to claims 2-9, at paragraph 2 of the Office Action, as containing an informality. Applicant respectfully submits that claims 2-9 as amended have addressed the informality. Accordingly, Applicant respectfully requests withdrawal of the objection to claims 2-9.

The Office has objected to claim 21, at paragraph 2 of the Office Action, as being in improper dependent form. Applicant respectfully submits that claim 21 as amended is in proper dependent form. Accordingly, Applicant respectfully requests withdrawal of the objection to claim 21.

Office has objected to claim 25, at paragraph 2 of the Office Action, as improperly referring to an accompanying drawing. Applicant respectfully submits that claim 25 has been canceled without prejudice or disclaimer, rendering the objection to claim 25 moot.

Attorney Docket No.: 040257

# Claim Rejections under 35 U.S.C. § 101

The Office has rejected claims 1 and 16, at paragraph 3 of the Office Action, under 35 U.S.C. § 101, as not falling within a statutory category of invention. Applicant respectfully submits that claims 1 and 16 as amended comply with 35 U.S.C. § 101. Accordingly, Applicant respectfully requests withdrawal of the rejections of claims 1 and 16 under 35 U.S.C. § 101.

#### New Claims 26-33 are Allowable

New claims 26-33 incorporate subject matter indicated by the Office to be allowable. Accordingly, Applicant respectfully submits that claims 26-33 are allowable.

# CONCLUSION

Applicant respectfully requests reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the pending claims.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 17-0026.

Respectfully submitted,

December 21, 2010

Date

Sayed H. Beladi, Reg. No. 42,311

Attorney for Applicant

QUALCOMM Incorporated

Attn: Patent Department

5775 Morehouse Drive

San Diego, California 92121-1714

Telephone:

(858) 658-5787

Facsimile:

(858) 658-2502